

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT**

**EDWIN RODRIGUEZ,  
Plaintiff**

**v.**

**CAPTAIN WALTON, JAMES POLK,  
CAPTAIN WOODS, OFFICER  
NORFOLK, OFFICER BILLINGSLEY,  
LIEUTENANT ANDERSON,  
JOHN DOE #1, JOHN DOE #2,  
JANE DOE #1 and NURSE CURRY,  
Defendants**

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**File No. 1:07-CV-58**

**AMENDED ORDER**

The Magistrate Judge's Report and Recommendation was filed February 8, 2008. (Paper 30.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Plaintiff's motion to amend his complaint (Paper 27) is DENIED with respect to Commissioner Rob Hoffman. Defendants' alternative motions for change of venue (Papers 22 and 25) are GRANTED. The Court hereby transfers the remainder of this case to the United States District Court for the Western District of Tennessee, pursuant to 28 U.S.C. § 1406.

WHEREFORE, it is hereby

ORDERED, that the Clerk of Court transfer this action to the United States District Court for the Western District of Tennessee; and it is further

ORDERED, that ten (10) days after the date of the service of this Order, the Clerk is instructed to notify the Clerk of the United States District Court for the Western District of Tennessee, by sending a certified copy of this Order, along with a letter that provides instructions for obtaining a read-only, court user account for use in obtaining (retrieving) the electronic record of this case from the District's CM/ECF database; and it is further

ORDERED, that the Clerk serve a copy of this Order on the parties by regular mail.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 19<sup>th</sup> day of March, 2008.

/s/ J. Garvan Murtha  
J. Garvan Murtha  
United States District Judge